IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WANDA KALINOWSKA,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Case No.: 2017 CV 311
	)	
TARGET CORPORATION, d/b/a **TARGET STORES**,	)	Judge:
	)	
	)	Magistrate Judge
Defendant.	)	

NOTICE OF REMOVAL

Pursuant to *Title 28 U.S.C. §1441, et seq. and 28 U.S.C. § 1332,* Defendant, **TARGET CORPORATION**, by and through one of its attorneys, Robert M. Burke of JOHNSON & BELL, LTD., hereby gives notice of the removal of the above captioned action from the Circuit Court of Cook County, Cause No.: 2016 L 011303, to the United States District Court, Northern District of Illinois, Eastern Division, and in support thereof, states the following:

1. This action is being removed to federal court based upon the diversity of citizenship of the parties to this cause, and the existence of the requisite amount in controversy, as is also more fully set forth below.

2. On or about November 17, 2016, Plaintiff, Wanda Kalinowska, initiated the above captioned lawsuit by the filing of a Complaint entitled *Wanda Kalinowska v. Target Corporation,* Docket No. 2016 L 011303, in the Circuit Court of Cook County, Illinois. *A copy of the Complaint at Law and summons is attached hereto as Exhibit "A", and incorporated herein by reference.* Defendant was served on or about November 29, 2016 and filed its Appearance and Jury Demand, Answer and Affirmative Defenses to the Complaint at Law denying all material allegations on December 28, 2016. *Copies*

of the Defendant's Notice of Filing, Appearance and Jury Demand, Answer and Affirmative Defenses to the Complaint at Law are attached hereto as Exhibit "B", and incorporated herein by reference.

3. On December 28, 2016, Defendant served a Rule 216 Request to Admit Facts upon the Plaintiff seeking certain information regarding the amount in controversy. *A copy of the Proof of Service and Defendant's Rule 216 Request to Admit Facts is attached hereto as Exhibit "C", and incorporated herein by reference.*

4. On January 10, 2017, Plaintiff filed her response to Defendant's Rule 216 Request to Admit Facts. *Plaintiff's Response to Rule 216 Request to Admit Facts is attached hereto as Exhibit "D", and incorporated herein by reference.*

5. Target's Request to Admit Facts asked Plaintiff to stipulate that she will not seek any damages in excess of $75,000 exclusive of interest and costs, relative to the incident in the Complaint. *See Attached Exhibit "C".* Plaintiff refused to agree or stipulate that the amount in controversy is less than $75,000.00 exclusive of interest and costs, and instead denied the Request to Admit. *See Exhibit "D".* The Defendant gave the Plaintiff the opportunity to admit that the amount in controversy is less than the jurisdictional amount for diversity cases; however, the Plaintiff chose not to admit that the amount in controversy is less than the jurisdictional amount. The Seventh Circuit has recognized that there are a number of ways to establish that the amount in controversy exceeds the Federal Court jurisdictional minimum for diversity cases, including contentions interrogatories or admissions in state court. *Merdian Sec. Ins. Co. v. Sadowski*, 441 F.3d 536, 541 (7th Cir. Ill. 2006). In fact, the local rules for the Northern District previously provided that one way to establish the amount in controversy was by serving a request for admission as to the amount in controversy to which the Plaintiff refused to agree that the amount in controversy "will in no event

exceed the jurisdictional amount". *See LR81.2 of the Local Rules of the United States District Court, Northern District of Illinois (2005).* Plaintiff's counsel's refusal to stipulate that the amount in controversy is less than $75,000.00 exclusive of interest and costs revealed for the first time since the inception of this lawsuit that the amount in controversy in this case is in excess of $75,000.00 exclusive of interest and costs as this was never apparent on the face of the complaint at law or from any written documents referenced in 28 USC §1446(b)..

5. The United States District Court for the Northern District of Illinois, Eastern Division, has jurisdiction over this action pursuant to 28 U.S.C. §1332 and 28 U.S.C. §1441 for the following reasons:

(a) Plaintiff, Wanda Kalinowska, at the time the lawsuit was commenced and at all relevant times, has been a resident and citizen of the State of Illinois.

(b) The Defendant, Target Corporation, at all relevant times, has been a Minnesota corporation with its principal place of business in Minnesota; therefore, for diversity of citizenship purposes, it is a citizen of the State of Minnesota;

(c) According to Plaintiff's Response to Defendant's Rule 216 Request to Admit, plaintiff will seek damages in excess of $75,000.00, exclusive of interest and costs (See Exhibit D);

(d) Based upon the foregoing, it is the Defendant's good faith belief that while liability and damages issues will be contested, the amount in controversy in this action exceeds $75,000.00 exclusive of interest and costs;

(e) The document establishing the amount in controversy and Plaintiff's refusal to admit that the amount in controversy is less than the jurisdictional prerequisite for removal, have been received by Defense Counsel within the last thirty days. This Notice of Removal is being filed with the Clerk of the United States District Court for the Northern District, Eastern Division, pursuant to 28 U.S.C. §1446(b), "within thirty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable . . . .";

(f) This action, based upon diversity of citizenship and the amount in controversy and is, therefore, properly removable, pursuant to 28 U.S.C. §1441(a).

6. In accordance with 28 U.S.C. §1447(b) there are attached to this Notice of Removal true and correct copies of all pleadings and process filed in the state court proceeding and served upon the Defendant by the Plaintiff in this cause.

7. In accordance with 28 U.S.C. §1446(d), this Defendant shall give prompt written notice of the removal of this case to the Plaintiff, and shall file a copy of this Notice of Removal with the Clerk of the Circuit Court of Cook County, Illinois.

WHEREFORE, Defendant, **TARGET CORPORATION**, respectfully requests that this case proceed before this Court as an action properly removed.

Respectfully submitted,

JOHNSON & BELL, LTD.

By: /s/Robert M. Burke
One of the Attorneys for the Defendant,
Target Corporation

Robert M. Burke
JOHNSON & BELL, LTD.
Attorneys for Defendant
33 West Monroe Street
Suite 2700
Chicago, Illinois 60603
Telephone: (312) 372-0770

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

FILED 8 - 15
2016 NOV 17 AM 9: 40
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL

WANDA KALINOWSKA,)
)
Plaintiff,)
)
v.) Court No.: 2016L011303
) CALENDAR/ROOM Z
TARGET CORPORATION, d/b/a) TIME 00:00
TARGET STORES,) Premises Liability
)
Defendant.)

COMPLAINT AT LAW

NOW COMES the Plaintiff, WANDA KALINOWSKA, by and through her attorneys, COGAN & POWER, P.C., and in complaining of the defendant, TARGET CORPORATION d/b/a TARGET STORES (hereinafter "TARGET"), states as follows:

1. On and before February 19, 2016, the defendant, TARGET, a foreign corporation, controlled, maintained, managed, owned and operated a certain commercial property located at 4433 South Pulaski Avenue in the City of Chicago, County of Cook, State of Illinois, hereinafter "premises".

2. Defendant, TARGET, is organized to do business in Cook County, Illinois at all relevant times herein, and the premises were located in Cook County at all times relevant herein.

3. At the aforesaid time and place, it was the duty of the defendant, TARGET, by and through its operation, management, maintenance and control of its property and through its employees to exercise ordinary care and caution for the safety of the plaintiff as an invitee, and other persons, at all times relevant herein.

4. On February 19, 2016, at the aforesaid place, the plaintiff was lawfully upon said premises in her capacity as an invitee, customer of Target when she was injured due to the

DEFENDANT'S EXHIBIT A
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dangerous condition of the premises, to wit, a defective electronic door that was caused to close on the plaintiff as she was exiting the store to enter the parking lot and return to her car.

5. It then and there became and was the duty of the defendant, TARGET, by and through its ownership, operation, management, maintenance and control and agents/employees to operate its property so as to avoid causing injury to persons lawful upon the premises and, more specifically, to avoid causing injury to the plaintiff.

6. Notwithstanding said duty, the defendant, TARGET, by and through its ownership, operation, management, maintenance and control and agents/employees was guilty of one or more of the following negligent acts and/or omissions:

a. Defendant permitted and allowed the aforesaid unreasonably dangerous condition of its electronic doors at the exit doors to be present when defendant knew or in the exercise of ordinary care should have known that such dangerous condition created a situation of imminent danger for persons, such as the plaintiff, lawfully upon said premises;

b. Defendant failed to warn plaintiff and others upon said premises of the aforesaid unreasonably dangerous condition when the defendant knew or in the exercise of ordinary care should have known that such condition of the exit door created a situation danger for persons, such as the plaintiff, lawfully upon said premises;

c. Defendant failed to inspect the premises to ensure that said exit electronic door was free from a hazard of imminent danger when defendant knew or in the exercise of ordinary care should have known that such inspection was necessary to keep the exit doors free from a hazard of imminent danger to persons, such as the plaintiff, lawfully upon said premises; and,

d. Defendant caused, created and or allowed to remain the aforesaid unreasonably dangerous condition of the exit doors at said premises when defendant knew, or in the exercise of ordinary care, should have known, that such condition created a situation with imminent danger for a person, such as the plaintiff, lawfully upon said premises.

7. As the direct and proximate result of one or more of the foregoing careless and/or negligent acts and/or omissions by the defendant, TARGET, through is agents and employees, the plaintiff was injured and suffered damages of a personal and pecuniary nature.

WHEREFORE, the Plaintiff, WANDA KALINOWSKA, prays judgment in her favor and against the Defendant, TARGET CORPORATION d/b/a TARGET STORES, for damages in an amount in excess of $50,000.00 plus costs of this suit.

Respectfully submitted;
WANDA KALINOWSKA

By: Thomas K. Prindable

Thomas K. Prindable
Attorney for Plaintiff
Cogan & Power, P.C.
1 E. Wacker Drive – Suite 510
Chicago, IL 60601
312-477-2500
Atty No: 49741
tkprindable@coganpower.com

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

WANDA KALINOWSKA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Court No.:
	)	
TARGET CORPORATION, d/b/a TARGET STORES,	)	
	)	
	)	
Defendant.	)	

AFFIDAVIT

I, Thomas K. Prindable, the affiant on oath, states:

The total of money damages sought in this matter does exceed $50,000.

Thomas K. Prindable

SUBSCRIBED AND SWORN TO
before me this 17th day of
November, 2016.

Nancy K O'Donnell

Official Seal
Nancy K O'Donnell
Notary Public State of Illinois
My Commission Expires 04/16/2019

2120 - Served	2121 - Served	
2220 - Not Served	2221 - Not Served	
2320 - Served by Mail	2321 - Served by Mail	
2420 - Served by Publication	2421 - Served by Publication	(Rev. 3/21/95)
SUMMONS	ALIAS - SUMMONS	CCG-1

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

2016L011303
CALENDAR/ROOM Z
TIME 00:00
Premises Liability

Wanda Kalinowska,

Plaintiff,

v.

Target Corporation d/b/a Target Stores,

Defendants.

No.

PLEASE SERVE:
Target Corporation
c/o CT Corporation System
208 S. LaSalle - Suite 814
Chicago, IL 60604

SUMMONS

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file appearance, in the office of the Clerk of this Court (located in the Richard J. Daley Center, Room 801, Chicago, Illinois 60602) within 30 days after service of this summons, not counting the day of service. **IF YOU FAIL TO DO SO, A JUDGEMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.**

To the officer:

This summons must be returned by the officer or other person to whom it is given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

> There will be a fee of $228.00 to file your Appearance, or you may present an Application to Sue or Defend as a Poor Person (form #CCG-19). If approved by the Presiding Judge, the fee will be waived.

WITNESS, DOROTHY BROWN CLERK OF CIRCUIT COURT, 20 NOV 17 2016

DOROTHY BROWN
Clerk of the Court

Date of Service: 11/29/16, 20

(To be inserted by officer on copy left with Defendant or other person)

COGAN & POWER, P.C.
1 East Wacker Drive - Suite 510
Chicago, IL 60601
312-477-2500
ATTY No: 49741
**Service by Facsimile Transmission: 312-477-2501

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

0226830 4

DIE DATE
12/10/2016

DOC.TYPE: LAW
CASE NUMBER: 16L011303
DEFENDANT
TARGET CORPORATION
208 S LASALLE ST
CHICAGO, IL 60604
814

SERVICE INF
RM 801 CT

ATTACHED

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – LAW DIVISION

WANDA KALINOWSKA,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Case No.: 2016 L 011303
	)	
TARGET CORPORATION, d/b/a **TARGET STORES,**	)	
	)	
	)	
Defendant.	)	

CERTIFICATE OF SERVICE

The undersigned, a non-attorney, on oath states that she served

- **Defendant's Appearance and Jury Demand**
- **Answer to Plaintiff's Complaint**

via electronic mail and U.S. mail to the attorney of record at the address noted below on the 28th day of December, 2016.

Under penalties as provided by law pursuant to ILL.REV. STAT. CHAP. 110 §1-109, certify that the statements set forth herein are true and correct.

JOHNSON & BELL, LTD.
33 West Monroe Street, #2700
Chicago, Illinois 60603
(312) 372-0770
Firm I.D. No. 06347

SERVICE LIST

Thomas K. Prindable
Cogan & Power, P.C.
1 East Wacker Drive
Suite 510
Chicago, Illinois 60601
Telephone: (312) 477-2500;
Telefax No.: (312) 477-2501
e-mail: tkprindable@coganpower.com

#4693752

FENDANT'S
EXHIBIT
B

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – LAW DIVISION

WANDA KALINOWSKA,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Case No.: 2016 L 011303
	)	
TARGET CORPORATION, d/b/a **TARGET STORES,**	)	
	)	
	)	
Defendant.	)	

APPEARANCE AND JURY DEMAND

2016 DEC 28 PM 2:13

The undersigned, as attorney, enters the appearance of the Defendant, **Target Corporation**.

Defendant demands trial by jury of twelve (12).

Robert M. Burke, attorney for Defendant,
Target Corporation

Name: JOHNSON & BELL, LTD.
Attorney for: Defendant
Address: 33 West Monroe St., Suite 2700
City: Chicago, Illinois 60603
Telephone: (312) 372-0770
Firm I.D.: 06347

I certify that a copy of the within instrument was served on all parties who have appeared and have not heretofore been found by the Court to be in default for failure to plead.

Attorney for Target Corporation

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – LAW DIVISION

FILED-6
2016 DEC 28 PM 3:09
DOROTHY BROWN
CLERK OF CIRCUIT COURT
LAW DIVISION

WANDA KALINOWSKA,	)	
Plaintiff,	)	
-vs-	)	Case No.: 2016 L 011303
TARGET CORPORATION, d/b/a **TARGET STORES,**	)	
Defendant.	)	

ANSWER TO PLAINTIFF'S COMPLAINT AT LAW

NOW COMES Defendant, **TARGET CORPORATION**, by and through its attorneys, JOHNSON & BELL, LTD., and for its Answer to Plaintiff's Complaint at Law, states the following:

1. On and before February 19, 2016, the Defendant, Target, a foreign corporation, controlled, maintained, managed, owned and operated a certain commercial property located at 4433 South Pulaski Avenue in the City of Chicago, County of Cook, State of Illinois, hereinafter "premises".

Answer: Target Corporation admits that at the time and place alleged, it maintained or hired others to maintain the premises, and owned, managed and operated a retail store. Target Corporation states that the allegation of control constitutes an improper legal conclusion to which no answer is required.

2. Defendant, Target, is organized to do business in Cook County, Illinois at all relevant times herein, and the premises were located in Cook County at all times relevant herein.

Answer: Target Corporation admits the allegations contained in paragraph 2 of Plaintiff's Complaint at Law.

3. At the aforementioned time and place, it was the duty of the Defendant,

Target, by and through its operation, management, maintenance and control of its property and through its employees to exercise ordinary care and caution for the safety of the Plaintiff as an invitee, and other persons, at all times relevant herein.

Answer: Target Corporation states that its duty was that prescribed by the laws of the state of Illinois and not otherwise and denies that it breached any duty then and there owed to Plaintiff.

4. On February 19 2016, at the aforesaid place, the Plaintiff was lawfully upon said premises in her capacity as an invitee, customer of Target when she was injured due to the dangerous condition of the premises, to wit, a defective electronic door that was caused to close on the Plaintiff as she was exiting the sore to enter the parking lot and return to her car.

Answer: Target Corporation has insufficient knowledge regarding Plaintiff's legal status or her purpose for being on the premises, and therefore denies said allegations and requires strict proof thereof. Further answering, Target Corporation denies the remaining allegations contained in paragraph 4 of Plaintiff's Complaint at Law.

5. It then and there became and was the duty of the Defendant, Target, by and through its ownership, operation, management, maintenance and control and agents/employees to operate its property so as to avoid causing injury to persons lawful upon the premises and, more specifically, to avoid causing injury to the Plaintiff.

Answer: Target Corporation states that its duty was that prescribed by the laws of the state of Illinois and not otherwise and denies that it breached any duty then and there owed to Plaintiff.

6. Notwithstanding said duty, the Defendant, Target, by and through its

ownership, operation, management, maintenance and control and agents/employees was guilty of one or more of the following negligent acts and/or omissions:

a. Defendant permitted and allowed the aforesaid unreasonably dangerous condition of its electronic doors at the exit doors to be present when Defendant knew or in the exercise of ordinary care should have known that such dangerous condition created a situation of imminent danger for persons, such as the Plaintiff, lawfully upon said premises;

b. Defendant failed to warn Plaintiff and others upon said premises of the aforesaid unreasonably dangerous condition when the Defendant knew or in the exercise of ordinary care should have known that such condition of the exit door created a situation danger for persons, such as the Plaintiff, lawfully upon said premises;

c. Defendant failed to inspect the premises to ensure that said exit door was free from a hazard of imminent danger when Defendant knew or in the exercise of ordinary care should have known that such inspection was necessary to keep the exit doors fee from a hazard of imminent danger to persons, such as the Plaintiff, lawfully upon said premises; and

d. Defendant caused, created and/or allowed to remain the aforesaid unreasonably dangerous condition of the exit doors at said premises when Defendant knew, or in the exercise of ordinary care, should have known, that such condition created a situation with imminent danger for a person, such as the Plaintiff, lawfully upon said premises;

Answer: Target Corporation denies the allegations contained in paragraph 6 of Plaintiff's Complaint at Law, including each and every allegation contained in subparagraphs (a) through (d), inclusive.

7. As the direct and proximate result of one or more of the foregoing careless and/or negligent acts and/or omissions by the Defendant, Target, through its agents and employees, the Plaintiff was injured and suffered damages of a personal and pecuniary nature.

Answer: Target Corporation denies the allegations contained in paragraph 7 of Plaintiff's Complaint at Law.

WHEREFORE, Defendant, **TARGET CORPORATION**, denies that Plaintiff is entitled to judgment in the amount sought or in any sum whatsoever and further prays that judgment and costs of suit be entered in favor of Defendant and against Plaintiff.

Respectfully submitted,

JOHNSON & BELL, LTD.

By: Robert M Burke
Robert M. Burke, one of the
Attorneys for Target Corporation

ROBERT M. BURKE
JOHNSON & BELL, LTD.
Attorney for Defendants
33 West Monroe Street, Suite 2700
Chicago, Illinois 60603
Telephone: (312) 372-0770
Attorney No.: 06347

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – LAW DIVISION

WANDA KALINOWSKA,	)	
Plaintiff,	)	
-vs-	)	Case No.: 2016 L 011303
TARGET CORPORATION, d/b/a **TARGET STORES**,	)	
Defendant.	)	

FILED-6
2016 DEC 28 PM 3:39
CLERK OF CIRCUIT COURT LAW DIVISION

AFFIDAVIT

Robert M. Burke, being first duly sworn upon oath, deposes and states that he is one of the attorneys for Defendant, **TARGET CORPORATION**, in the above-captioned matter, that he is informed as to the statements of insufficient knowledge to form a belief as to the truthfulness of certain allegations contained in Plaintiff's Complaint at Law, and that on the basis thereof, has prepared the aforesaid answer to Plaintiff's Complaint at Law.

Respectfully submitted,

JOHNSON & BELL, LTD.

By: Robert M Burke
Robert M. Burke, one of the
Attorneys for Target Corporation

SUBSCRIBED and **SWORN** to
before me this 27th day of
December, 2016

Janice Williams
Notary Public

OFFICIAL SEAL
JANICE WILLIAMS
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 06/12/2017

Robert M. Burke
JOHNSON & BELL, LTD.
Attorney for Defendant
33 West Monroe Street, Suite 2700
Chicago, Illinois 60603
Telephone: (312) 372-0770

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – LAW DIVISION

WANDA KALINOWSKA,)
)
Plaintiff,)
)
-vs-) Case No.: 2016 L 011303
)
TARGET CORPORATION, d/b/a)
TARGET STORES,)
)
Defendant.)

FILED-6
2016 DEC 28 AM 11:43
CLERK CIRCUIT COURT
LAW DIVISION

CERTIFICATE OF SERVICE

I, the undersigned, a non-attorney, on oath state that I served **Defendant's Request to Admit Facts** propounded to Plaintiff via electronic mail and U.S. mail to the attorney of record at the address noted below on the 28th day of December, 2016.

Under penalties as provided by law pursuant to ILL.REV. STAT. CHAP. 110 §1-109, certify that the statements set forth herein are true and correct.

JOHNSON & BELL, LTD.
33 West Monroe Street, #2700
Chicago, Illinois 60603
(312) 372-0770
Firm I.D. No. 06347

SERVICE LIST

Thomas K. Prindable
Cogan & Power, P.C.
1 East Wacker Drive
Suite 510
Chicago, Illinois 60601
Telephone: (312) 477-2500;
Telefax No.: (312) 477-2501
e-mail: tkprindable@coganpower.com

#4693672

DEFENDANT'S EXHIBIT
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – LAW DIVISION

WANDA KALINOWSKA,	)	
Plaintiff,	)	
-vs-	)	Case No.: 2016 L 011303
TARGET CORPORATION, d/b/a **TARGET STORES**,	)	
Defendant.	)	

REQUEST TO ADMIT FACTS

WARNING: If you fail to serve the response required by Rule 216 within 28 days after you are served with this paper, all the facts set forth in the requests will be deemed true and all the documents described in the requests will be deemed genuine.

NOW COMES Defendant, **TARGET CORPORATION**, by and through its attorneys, JOHNSON & BELL, LTD., and pursuant to Illinois Supreme Court Rule 216, requests that Plaintiff, **WANDA KALINOWSKA**, admit or deny the truthfulness of the following facts within twenty-eight (28) days:

1. Plaintiff, Wanda Kalinowska, agrees and stipulates that she will, in no event, ever seek any damages in excess of $75,000.00, exclusive of interest and costs, relative to the incident alleged in Plaintiff's Complaint at Law.

Response:

Respectfully submitted,

JOHNSON & BELL, LTD.

By: [signature]
Robert M. Burke, one of the
Attorneys for Target Corporation

ROBERT M. BURKE
JOHNSON & BELL, LTD.
Attorney for Defendants
33 West Monroe Street, Suite 2700
Chicago, Illinois 60603
Telephone: (312) 372-0770
Attorney No.: 06347

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

WANDA KALINOWSKA,)
)
Plaintiff,)
)
v.) No.: 16 L 11303
)
TARGET CORPORATION, d/b/a)
TARGET STORES,)
)
Defendant.)

2017 JAN 10 PM 2:26

NOTICE OF FILING

TO: Robert M. Burke, Esq.
JOHNSON & BELL, LTD.
33 West Monroe Street
Suite 2700
Chicago, Illinois 60603

PLEASE TAKE NOTICE that on the **10th day of January, 2017**, we filed with the Clerk of the Circuit Court of Cook County, Illinois **Plaintiff's Response To The Request To Admit Facts Propounded By The Defendant, Target Corporation**, a copy of which is attached hereto.

Cogan & Power, PC

COGAN & POWER, P.C.
One East Wacker Drive, Suite 510
Chicago, Illinois 60601
(312) 477-2500
(312) 477-2501 (Fax)
Firm ID 49741

PROOF OF SERVICE

The undersigned, being first duly sworn on oath, deposes and states that she served a copy of the above named document upon the attorneys of record, by Email and by enclosing a true and correct copy thereof in a duly addressed, postage prepaid envelope, and depositing same in the U.S. Mail Chute at One East Wacker Drive, Chicago, Illinois before the hour of 5:00 p.m. on January 10, 2017.

[X] Under penalties as provided by law pursuant to 735 ILCS 5/1-109 (1993), I certify that the statements set forth herein are true and correct.

DEFENDANT'S
EXHIBIT
D

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

WANDA KALINOWSKA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: 16 L 11303
	)	
TARGET CORPORATION, d/b/a TARGET STORES,	)	
	)	
	)	
Defendant.	)	

2017 JAN 10 PM 2:25

PLAINTIFF'S RESPONSE TO THE REQUEST TO ADMIT FACTS PROPOUNDED BY THE DEFENDANT, TARGET CORPORATION

Now comes the Plaintiff, WANDA KALINOWSKA, by and through her attorneys, COGAN & POWER, P.C., and in response to the Request To Admit Facts propounded by the Defendant, TARGET CORPORATION, states as follows:

1. Plaintiff, Wanda Kalinowska, agrees and stipulates that she will, in no event, ever seek any damages in excess of $75,000.00, exclusive of interest and costs, relative to the incident alleged in Plaintiff's Complaint at Law.

ANSWER: Plaintiff denies Request to Admit Fact No. 1, and further affirmatively states that she seeks those damages in excess of $50,000.00 as originally prayed for in Plaintiff's Complaint at Law and as will grant her just compensation.

One of the Attorneys for Plaintiff

Thomas K. Prindable
COGAN & POWER, P.C.
One East Wacker Drive, Suite 510
Chicago, Illinois 60601
(312) 477-2500
(312) 477-2501 (Fax)
Firm ID 49741